IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2535 OF 1996
IN
WEALTH TAX APPLN, (LOD) NO.409 OF 1996

The Commissioner of Wealth Tax ..Appellant.

V/s.

M/s.Indian Smelting & Refining Co.Ltd. ..Respondent.

Mr.A.N.Kotangale i/b. H.D.Rathod for appellant.

Mr.S.J.Mehta for respondent.

CORAM : DR. S.RADHAKRISHNAN AND J.P.DEVADHAR, JJ.

DATED : 12TH JANUARY, 2007.

P.C. :-

Heard learned counsel for the appellant and the respondent. By this Notice of Motion, the apellant is seeking condonation of delay of 1293 days in filing the appeal. The affidavit in support is totally bereft of any reason justifying condonation of delay, excepting a bald statement that the "delay has occurred on account of act of manpower constraints". The Notice motion is totally devoid of any merits. Notice of Motion stands dismissed.

In view of the dismissal of the Notice of Motion, the Appeal also does not survive, same stands dismissed.

(DR.S.RADHAKRISHNAN, J.)

(J.P. DEVADHAR, J.)